



Black Ministers' Council of New Jersey

"A New People for a New Jersey"

August 12, 2004

Michael K. Powell
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

MB Docket No. 04-207

Dear Chairman Powell:

This letter is being written in response to the comment filed by the State of New Jersey, Division of The Ratepayer Advocate.

The Black Ministers Council of New Jersey's mission is to bring the strength of the African American religious leadership in the state to the forefront of American life, with special emphasis on public issues growing out of problems of African Americans as a racial and cultural minority. We have been able to reach people beyond our boundaries at the church thru television, and adopting an a la carte policy would infringe upon that.

I applaud the State of New Jersey for taking seriously its mandate to protect the interests of cable consumers and encourage "more choice, better quality, and lower rates for services." Unfortunately, I fear that The Ratepayer Advocate's support for *a la carte* will run counter to the Division's stated goals.

Surely, the Ratepayer Advocate sees the preservation of high quality programming and the need to protect and promote diversity as fundamental parts of its mission. Although there is still room for improvement, the depth and breadth of programming on cable today is encouraging, with the number of channels devoted to foreign-language and ethnic programming on the rise. For many viewers of color and non-English speakers, there are, for the first time, channels that reflect their cultures and experiences. And for the majority of viewers in general, there is now a greater opportunity to learn about and understand the experiences and perspectives of others. This is not something to be taken for granted or risked.

An *a la carte* system, though, threatens this diversity of programming. With reduced advertising revenues for networks that fail to attract the same number of subscribers as, say, MTV or ESPN, many niche programmers would struggle and fail. As Alfred Liggins, the head of TV One, recently wrote, "[A] *la carte* would have a chilling effect on programming diversity in America" and "could put us and many other innovative cable networks out of business." His conclusion is supported by a recent Booz Allen economic analysis, which found that as many as half to two thirds of emerging and niche networks would fail if the cable system adopted the *a la carte* model. I can't see how this could be in anybody's best interest, except for the few channels that survive.

The Ratepayer Advocate argues that if consumers purchase only the channels they want to pay for individually, these channels will see an increase in viewership and an increase in ad revenues. I don't understand how this could be the case, unless the Ratepayer Advocate believes that somehow an *a la carte* model would draw new subscribers into the system—an argument that is not present in the filing. It strikes me that most networks would actually see a slight decline in viewership, as the casual viewers who occasionally watch a channel now but would not be willing to subscribe to it in an *a la carte* model would be lost.

The most important concern here, however, is about diversity, and about making sure that the smaller networks that offer programming to various minorities in this country don't get stamped out by a cable system that leaves every network for itself. It has taken a long time for various groups to achieve representation in our larger cultural debate, of which the cable system is a part—and anything that would take that away from them or from us would be a terrible mistake.

Sincerely,
Rev. Reggie Jackson